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6 and

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12 Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

15 In re: USA COMMERCIAL MORTGAGE COMPANY,	Debtor.	Case No. BK-S-06-10725 LBR Case No. BK-S-06-10726 LBR Case No. BK-S-06-10727 LBR Case No. BK-S-06-10728 LBR Case No. BK-S-06-10729 LBR
17 In re: USA CAPITAL REALTY ADVISORS, LLC,	Debtor.	Chapter 11
19 In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	Debtor.	Jointly Administered Under Case No. BK-S-06-10725 LBR
21 In re: USA CAPITAL FIRST TRUST DEED FUND, LLC,	Debtor.	
23 In re: USA SECURITIES, LLC,	Debtor.	
24 Affects: <input checked="" type="checkbox"/> All Debtors <input type="checkbox"/> USA Commercial Mortgage Company <input type="checkbox"/> USA Capital Realty Advisors, LLC <input type="checkbox"/> USA Capital Diversified Trust Deed Fund, LLC <input type="checkbox"/> USA Capital First Trust Deed Fund, LLC <input type="checkbox"/> USA Securities, LLC		EX PARTE APPLICATION FOR ORDER APPROVING EXAMINATION OF USA INVESTORS VI, LLC PURSUANT TO FED. R. BANKR. P. 2004

1 Pursuant to Fed. R. Bank. P. 2004, USA Commercial Mortgage Company, USA Securities,
 2 LLC, USA Capital Realty Advisors, LLC, USA Capital Diversified Trust Deed Fund, LLC, and
 3 USA Capital First Trust Deed Fund, LLC (collectively, the “Debtors”), by and through their
 4 counsel, hereby apply for an order directing USA Investors, VI LLC (“IP VI”), to be examined
 5 under oath in relation to the following:

6 1. The incorporation of IP VI and its past and present business operations.
 7 2. The past and present management structure of IP VI.
 8 3. The past and present relationship between any of the Debtors and IP VI.
 9 4. The capitalization of IP VI, including whether any capital contributions came from
 10 funds of any of the Debtors.
 11 5. All obligations owing to or from the Debtors and IP VI or any of their affiliates.
 12 6. All transfers of any real or personal property to or from the Debtors and IP VI or
 13 any of their affiliates.
 14 7. The assets of IP VI.
 15 8. The liabilities of IP VI.
 16 9. The creditors of IP VI.
 17 10. Any and all projects or loans in which any of the Debtors and IP VI both have an
 18 interest.
 19 11. Any other matter that may affect the administration of the Debtors’ estates.

20 Fed. R. Bank. P. 2004(a) provides that “[o]n motion of any party in interest, the court may
 21 order the examination of any entity.”

22 Local Rule 2004 provides, in pertinent part, the following:

23 (b) Order for examination. Orders for examination may be
 24 signed by the clerk if the date set for examination is more than ten
 (10) business days from the date such motion is filed....

25
 26 As set forth above, the date for the proposed examination is more than ten (10) business
 27 days from the date of this Application. Accordingly, Debtors respectfully request that the Clerk of
 28 the Court docket the Order for Examination of IP VI pursuant to Fed. R. Bank. P. 2004 submitted

1 herewith.

2 WHEREFORE, Debtors respectfully request that this Honorable Court direct IP VI to
3 appear through its representative designated in accordance with Fed. R. Civ. P 30(b)(6) on
4 December 13, 2006 at 9:00 o'clock a.m. at the Debtors' offices located at 4484 Pecos Road, Las
5 Vegas, Nevada 89121, and continuing thereafter until completed.

6 Respectfully submitted this 29th day of November, 2006.

7
8 /s/ Lenard E. Schwartzer
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